



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
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MEMORANDUM FOR: NMFS/NWR Staff

FROM: Rick Applegate, ARA, Habitat Conservation  
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SUBJECT: Habitat Approach

Performance of ESA section 7(a)(2) consultations regarding proposed actions often requires NMFS staff to analyze the effects of proposed actions upon the freshwater habitat of listed salmonids. The attached "Habitat Approach" is intended to provide guidance to staff for conducting these analyses, and to explain the analytical process to our customers. As appropriate, the document may be either attached to Biological Opinions or its content may be integrated into the body of Biological Opinions.

The Habitat Approach references the August 1996 NMFS document "Making Endangered Species Act Determinations of Effect for Individual or Grouped Actions at the Watershed Scale" (MPI) and may be considered a companion to it. The MPI states: *"Please recognize that this document does not address jeopardy or identify the level of take or adverse effects which would constitute jeopardy. Jeopardy is determined on a case by case basis involving the specific information on habitat conditions and the health and status of the fish population. NMFS is currently preparing a set of guidelines, to be used in conjunction with this document, to help in the determination of jeopardy."* The attached Habitat Approach is this promised guidance. While the focus of the MPI is upon the action agency's obligation to evaluate effects of their actions, the focus of the Habitat Approach is upon NMFS' obligation to perform jeopardy analysis for those actions that are likely to adversely affect.

This document may be revised in the future to provide broader applicability, to emphasize § 4(f) Recovery Plans when they are in place, to incorporate advances in scientific understanding, or to comport with legal and policy developments. However, it is important that this guidance be made available at this time. Staff are encouraged to share this document with colleagues from other agencies and private entities who are interested in the premises and methods of our habitat analyses.

